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Fredrick Mark Manasseh

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EXAMINER

ALI, FARHAD

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/506,787	Applicant(s) MANASSEH ET AL.	
	Examiner FARHAD ALI	Art Unit 2446	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-13, 15, 17-28, 30-34, 36-40 and 46-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-13, 15, 17-28, 30-34, 36-40 and 46-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims:

Claims 1-9, 11-13, 15, 17-28, 30-34, 36-40 and 46-49 are pending in this Office Action.

Claims 1, 3, 4, 9, 20, 32, and 36-37 are amended.

Claim 50 is new

Claims 10, 14, 16, 29, 35 and 41-45 are cancelled.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/16/2009 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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3. Claims 1-9, 11-13, 15, 17-28, 30-34, 36-40 and 46-49 are rejected under 35 U.S.C. 102(e) as being anticipated by Anthony.

Regarding Claim 1, Anthony teaches an apparatus for recording, playback, and investigation of an event associated with a transportation vehicle (**Col. 2, Lines 18-22; “In yet another aspect, this system provides a means and methodology for safeguarding any and all conduct effectuated on public mobile vehicles such as commercial airplanes, trains, buses, boats, or the like”**), from at least two synchronized streams carrying audio and video and data information associated with the transportation vehicle, the transportation vehicle being in communication with a command and control center, (**Col. 5, Lines 24-41; plurality of cameras providing a plurality of streams monitoring and recording of activities associated to a vehicle, thus being real-time and synchronized data streams as it follows the events as the occur**), the apparatus comprising:

at least two capture devices for capturing the at least two streams carrying audio and video and data information depicting activities associated with the event (**Col. 3, Lines 10-15; “comprises a plurality of video cameras disposed at strategic locations in or on the automobile so that events may be documented in real-time for analysis at a plurality of remote control sites” and Col. 15, Lines 56-65; reconcile real-time information with historically comparable information under analysis**);

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at least one recording device for recording the at least two streams depicting the activities associated with the transportation vehicle in synchronization **(Col. 7, Lines 21-61; audio video captured by cameras and microphones are recorded and processed by an Aaeon Electronics, Inc. compact board with hard disks and tape backup drives before being transmitted to a remote control center. Such a device is stored locally on a vehicle)**; at least one communication device for communicating at least one of the at least two recorded streams to a monitoring station **(Col. 2, Lines 40-44; “such activities and events are continuously captured and uplinked in real-time along with received or generated control signals to a plurality of control facilities for recording, monitoring, and contemporaneous analysis”)**;

an investigative tool for debriefing the event at a later stage, and
a multi-channel multimedia recording application that receives and records data information from the at least two capture devices capturing activities in or near the transportation vehicle, and information transmitted from the command and control center, wherein the command and control center is located remotely from the transportation vehicle, and wherein the multi-channel multimedia recording application records the data indexed and formatted into a database **(Col. 14, Lines 43-51; Contemplated operator activities comprise exercising streaming control; viewing geographical location (on a suitable United States map) associated with an alert; searching for previously stored alert video information or other relevant video information useful for interpreting incoming video streams for a particular subscriber; replaying alert videos if needed for proper early-warning analysis or**

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the like; viewing user activity history; viewing subscriber account history; and Col. 7, Lines 21-61; audio video captured by cameras and microphones are recorded and processed by an Aaeon Electronics, Inc. compact board with hard disks and tape backup drives before being transmitted to a remote control center. Such a device is stored locally on a vehicle).

Regarding Claim 2, Anthony teaches the apparatus further comprising at least one alarm activator device for activating the at least one of the at least two capture devices **(Anthony: Col. 8, Lines 1-14; manual and automatic activation based on triggering event that was activate audio/video. Col. 11, Lines 54-65; alarm switch device connected to the serial port of the mobile unit. Col. 12, Lines 35-39; alarm mode has cameras on).**

Regarding Claim 3, Anthony teaches the apparatus wherein the database device stores the at least two streams **(Anthony: Col. 8, Lines 31-36; data downlinked onto a database).**

Regarding Claim 4, Anthony teaches the apparatus further comprising an at least one analysis device for automatically analyzing an at least one of the at least two streams **(Anthony: Col. 9, Lines 22-28; centralized data center which receives and analyzes the signals being downlinked).**

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Regarding Claim 5, Anthony teaches the apparatus further comprising a disabler device for disabling the control of the transportation vehicle **(Anthony: Col. 22, Lines 30-40; trigger engine shut-down, thereby disables control)**.

Regarding Claim 6, Anthony teaches the apparatus further comprising a disabler device for controlling the transportation vehicle from a location external to the transportation vehicle **(Anthony: Col. 22, Lines 30-40; trigger from the external control center)**.

Regarding Claim 7, Anthony teaches the apparatus further comprising a control device for controlling at least one of the at least two capture devices or the at least one recording device or the at least one communication device **(Anthony: Col. 5, Lines 52-57; black box controls camera activation)**.

Regarding Claim 8, Anthony teaches the apparatus further comprising a monitoring device for monitoring events captured by the at least one of the at least two capture device **(Anthony: Col. 5, Lines 6-22; monitoring apparatus for monitoring based on received signals from the plurality of cameras)**.

Regarding Claim 9, Anthony teaches the apparatus further comprising a retrieval device for retrieving a part or whole of at least one of the at least two streams captured

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by at least one of the at least two capture devices associated with the transportation vehicle **(Anthony: Col. 5, lines 6-22; uplinking to a satellite).**

Regarding Claim 11, Anthony teaches the apparatus wherein the at least two streams is synchronized with a radio signal **(in addition to the rejection of Claim 10, Anthony: Col. 21, Lines 25-27 teaches of using GPRS, or general packet radio service, for delivering the data streams in real-time and synchronized to a remote center from the local control board).**

Regarding Claim 12, Anthony teaches the apparatus wherein at least one of the at least two capture devices is a video camera **(Anthony: Col. 6, Lines 25-27; cameras, further referenced in the rejections above as well).**

Regarding Claim 13, Anthony teaches the apparatus wherein at least one of the at least two capture devices is a microphone **(Anthony: Col. 11, Line 54).**

Regarding Claim 15, Anthony teaches the apparatus wherein the at least one recording device is located within the transportation vehicle **(Anthony: Col. 5, Lines 7-11; local controller placed within the automobile. Col. 7, Lines 21-61; audio video captured by cameras and microphones are recorded and processed by an Aaeon Electronics, Inc. compact board with hard disks and tape backup drives before**

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being transmitted to a remote control center. Such a device is stored locally on a vehicle).

Regarding Claim 17, Anthony teaches the apparatus the at least one analysis device is located within the transportation vehicle **(Anthony: Col. 8, Lines 12-21; automatic trigger event activation of system, thereby the system having continuous analysis of the situation be on certain predetermined triggering events as handled by processors on Col. 7, Lines 32-36, which by themselves are essentially analysis devices).**

Regarding Claim 18, Anthony teaches the apparatus wherein the at least one analysis device is located external to the transportation vehicle in a command and control center or a crisis-management facility **(Anthony: Col. 8, Lines 22-36; law enforcement can handle crisis management and the above teaches of analysis and monitoring at control centers).**

Regarding Claim 19, Anthony teaches the apparatus of claim 1 wherein the at least one communication device transmits a transmission to be later redistributed **(Anthony: Col. 14, Lines 13-20; streaming via a predetermined schedule or periodically, thereby later redistribution is fully possible).**

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Regarding Claim 20, claim 20 is rejected for the same reasons as taught in Claim 1 as the limitations are analogous in scope and language.

Regarding Claim 21, Anthony teaches the method further comprising the step of activating at least one of the at least two capture devices by at least one alarm activator device **(Anthony: Col. 8, Lines 1-14; manual and automatic activation based on triggering event that was activate audio/video. Col. 11, Lines 54-65; alarm switch device connected to the serial port of the mobile unit. Col. 12, Lines 35-39; alarm mode has cameras on)**.

Regarding Claim 22, Anthony teaches the method further comprising the step of storing the at least two streams in an at least one database device **(Anthony: Col. 8, Lines 31-36; data downlinked onto a database)**.

Regarding Claim 23, Anthony teaches the method further comprising the step of analyzing at least one of the at least two streams **(Anthony: Col. 9, Lines 22-28; centralized data center which receives and analyzes the signals being downlinked)**.

Regarding Claim 24, Anthony teaches the method further comprising the step of disabling the control of the transportation vehicle **(Anthony: Col. 22, Lines 30-40;**

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trigger engine shut-down, thereby disables control).

Regarding Claim 25, Anthony teaches the method further comprising the step of controlling the transportation vehicle from a location external to the transportation vehicle **(Anthony: Col. 22, Lines 30-40; trigger from the external control center).**

Regarding Claim 26, Anthony teaches the method further comprising the step of controlling the at least one of the at least two capture devices or the at least one recording device or the at least one communication device **(Anthony: Col. 5, Lines 52-57; black box controls camera activation).**

Regarding Claim 27, Anthony teaches the method further comprising the step of monitoring events captured by the at least one of the at least two capture devices **(Anthony: Col. 5, Lines 6-22; monitoring apparatus for monitoring based on received signals from the plurality of cameras).**

Regarding Claim 28, Anthony teaches the method further comprising the step of retrieving a part or whole of at least one of the at least two streams captured by at least one of the at least two capture devices associated with the transportation vehicle **(Anthony: Col. 5, lines 6-22; uplinking to a satellite).**

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Regarding Claim 30, Anthony teaches the method wherein at least one of the at least two streams are synchronized with a radio signal **(in addition to the rejection of Claim 10, Anthony: Col. 21, Lines 25-27 teaches of using GPRS, or general packet radio service, for delivering the data streams in real-time and synchronized to a remote center from the local control board).**

Regarding Claim 31, Anthony teaches the method wherein the at least one of the at least two capture devices is a video camera **(Anthony: Col. 6, Lines 25-27; cameras, further referenced in the rejections above as well).**

Regarding Claim 32, Anthony teaches the method wherein at least one of the at least two capture devices is a microphone **(Anthony: Col. 11, Line 54).**

Regarding Claim 33, Anthony teaches the method wherein the at least one of the at least two capture devices is a radio receiver **(Anthony: Col. 13, Lines 16-20; control signals received on mobile units are via cellular, which by Col. 12, Lines 1-6 can be of general packet radio service type).**

Regarding Claim 34, Anthony teaches the method wherein the at least one recording device is located within the transportation vehicle **(Anthony: Col. 5, Lines 7-11; local controller placed within the automobile. Col. 7, Lines 21-61; audio video captured by cameras and microphones are recorded and processed by an Aaeon**

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Electronics, Inc. compact board with hard disks and tape backup drives before being transmitted to a remote control center. Such a device is stored locally on a vehicle).

Regarding Claim 36, Anthony teaches the method wherein the analysis is performed within the transportation vehicle **(Anthony: Col. 8, Lines 12-21; automatic trigger event activation of system, thereby the system having continuous analysis of the situation be on certain predetermined triggering events as handled by processors on Col. 7, Lines 32-36, which by themselves are essentially analysis devices).**

Regarding Claim 37, Anthony teaches the method wherein the analysis is performed external to the transportation vehicle in a command and control center or a crisis-management facility **(Anthony: Col. 8, Lines 22-36; law enforcement can handle crisis management and the above teaches of analysis and monitoring at control centers).**

Regarding Claim 38, Anthony teaches the method wherein the at least one communication device transmits a transmission to be later redistributed **(Anthony: Col. 14, Lines 13-20; streaming via a predetermined schedule or periodically, thereby later redistribution is fully possible).**

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Regarding Claim 39, Anthony teaches the apparatus wherein the analysis device initiates recording if the transportation vehicle does not follow a prearranged course **(Anthony: Col. 8, Lines 18-21; automatic trigger event to initiate recording may be when driver is not following usual habits. Col. 16, Lines 5-19; fleet action is recorded and uplinked to authorities and triggers response when there's a deviation from a preplanned route. An obvious matter of design choice to use the event of deviation from a prearranged course as one of the various trigger events since GPS is available on the system, giving it highly predictable results).**

Regarding Claim 40, Anthony teaches the method wherein the analysis step initiates recording if the transportation vehicle does not follow a prearranged course **(Anthony: Col. 8, Lines 18-21; automatic trigger event to initiate recording may be when driver is not following usual habits. Col. 16, Lines 5-19; fleet action is recorded and uplinked to authorities and triggers response when there's a deviation from a preplanned route. An obvious matter of design choice to use the event of deviation from a prearranged course as one of the various trigger events since GPS is available on the system, giving it highly predictable results).**

Regarding Claim 46, Anthony teaches the apparatus of claim 1 wherein the at least one capture device located at the command and control center captures audio communication between the command and control center, and an emergency center or a second command and control center **(Anthony: Column 13 Lines 54-55, "Video and**

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audio information recorded in situ and then uplinked to a plurality of control centers as herein described” and Col. 14, Lines 43-51; Contemplated operator activities comprise exercising streaming control; viewing geographical location (on a suitable United States map) associated with an alert; searching for previously stored alert video information or other relevant video information useful for interpreting incoming video streams for a particular subscriber; replaying alert videos if needed for proper early-warning analysis or the like; viewing user activity history; viewing subscriber account history).

Regarding Claim 47, Anthony teaches the apparatus wherein the command and control center, and the emergency center or the second command and control center, receive information from the transportation vehicle **(Anthony: Column 13 Lines 54-55, “Video and audio information recorded in situ and then uplinked to a plurality of control centers as herein described”)**.

Regarding Claim 48, Anthony teaches the apparatus of claim 1 wherein the audio communication transmitted by the radio receiver is audio communication related to the event and exchanged by an emergency service **(Anthony: Column 13 Lines 54-55, “Video and audio information recorded in situ and then uplinked to a plurality of control centers as herein described”)**.

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Regarding Claim 49, Anthony teaches the method wherein the audio communication transmitted by the radio receiver is audio communication related to the event and exchanged by an emergency service **(Anthony: Column 13 Lines 54-55, “Video and audio information recorded in situ and then uplinked to a plurality of control centers as herein described”)**.

Regarding claim 50, Anthony teaches the apparatus according to claim 1, wherein at least one of the at least two capture devices captures audio communication transmitted by a radio receiver **(Anthony: Col. 13, Lines 16-20; control signals received on mobile units are via cellular, which by Col. 12, Lines 1-6 can be of general packet radio service type)**.

Response to Arguments

4. Applicant's arguments filed 03/16/2009 have been fully considered but they are not persuasive.

The applicant has argued that Anthony does not teach capturing streams of different types. The examiner respectfully disagrees. Anthony teaches in Column 5 lines 6-11, “In particular, FIG. 1 depicts an embodiment of the present invention configured for use in an automobile. Local controller apparatus 5 is clandestinely positioned in an automobile (not shown) for capturing audio video signals 20 via plurality

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of cameras 10 and then uploading these signals in real-time". Clearly Anthony teaches audio and video information that also constitutes data information.

In regards to a multimedia recording application, synchronization, and storing of data, the examiner would like to point out the following teachings of Albert, Col. 15, Lines 31-34; a plurality of channels are monitored which hold the data stream of audio and video. Furthermore, the Abstract teaches of such data being real-time, therefore the system and the data it transmits must be synchronized with what actually occurs on the vehicle when played back. Col. 15, Lines 56-67 "This practice helps assure that collected data is safely migrated to a plurality of knowledge-bases that may be used to monitor and reconcile real-time information with historical comparable information. As depicted in FIG. 7, video streaming server 270 enables video information that has been stored in a plurality of video databases to be expeditiously retrieved and exploited. As will be appreciated by those skilled in the art, such devices as Windows Media Services and Real Media Server may conveniently be used to orchestrate these functions". Clearly Albert contains means for post-investigative ability and the means for reconciling real-time information with historical comparable information.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FARHAD ALI whose telephone number is (571)270-

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1920. The examiner can normally be reached on Monday thru Friday, 7:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey C. Pwu can be reached on (571) 272-6798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Farhad Ali/
Examiner, Art Unit 2446

/Jeffrey Pwu/
Supervisory Patent Examiner, Art Unit 2446/